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FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

07 OCT 31 AM 9:45

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jorge Alberto VEGA

Defendant.

Magistrate Case No.

97 MJ 2561

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section

1324(a)(2)(B)(iii)-

Bringing in Illegal Alien(s)

Without Presentation (Felony)

The undersigned complainant being duly sworn states:

On or about **October 30, 2007**, at the **Otay Mesa** Port of Entry, within the Southern District of California, defendant **Jorge Alberto Vega**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Lucas Sicairos-Urrea**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT

Mario Avila, U.S. Customs and Border
Protection Enforcement Officer.

Sworn to before me and subscribed in my presence, this 31st day of October 2007.

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Lucas SICAIROS-Urrea** is a citizen of a country other than the United States; that said alien has admitted he is deportable; that his testimony is material; that it is impracticable to secure his attendance at trial by subpoena; and that he is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On October 30, 2007 at approximately 07:05 AM, **Jorge Alberto VEGA (Defendant)** made application for admission into the United States at the Otay Mesa, California Port of Entry as the driver and sole visible occupant of a 1999 Chevrolet Malibu. A Customs and Border Protection Officer received two negative declarations from the defendant. Defendant presented a California Driver License (D2111813) bearing the name of Francisco Javier Barrera and declared to be a United States citizen by birth in San Diego, California. Defendant stated he was on his way to work. Defendant claimed he was the owner of the vehicle. The U.S. customs officer performed a cursory inspection of the vehicle and noticed an opening in what appeared to be an altered gas tank. The CBP Officer also noticed clothing material of what appeared to be a person concealed in the gas tank compartment. The CBP Officer called for assistance and handcuffed defendant for officer safety. CBP Officers responded and took custody of defendant and escorted him to secondary. CBP Officers drove the vehicle to secondary for further inspection.

In secondary, CBP Officers lifted the rear bench seat of the vehicle and discovered a male concealed within. CBP Officers assisted and removed the male from the gas tank compartment of the vehicle.

Further investigation revealed the male to be a citizen and native of Mexico with no entitlements to enter, pass-through, or reside in the United States and is now identified as Material Witness **Lucas SICAIROS-Urrea**.

During a videotaped interview, Material Witness declared he is a citizen of Mexico who has no legal right to enter the United States. Material Witness stated he was going to Los Angeles, California to seek employment. Material Witness stated he was going to pay approximately \$2,500 USD to be smuggled into the United States. Material Witness stated his friend helped him make all of the arrangements to be smuggled into the United States.